IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 1211 OF 2007

Deepak Dashrath Gaikwad ... Applicant

Vs.

The State of Maharashtra ... Respondent

Mr. P.R.Pandey for the Applicant.

Mrs. M.H.Mhatre, APP, for the State.

CORAM: J.H.BHATIA,J.

DATE : 11th June, 2007.

P.C.

1. Heard Mr. Pandey, Advocate appointed by the Court to represent the applicant, who is in jail, and Mrs. Mhatre, learned APP.

2. This Application is filed by the applicant through jail to expedite the trial and dispose of NDPS Special Case No. 68 of 2005. It appears that the applicant was arrested on 28.11.2004 under the N.D.P.S. act and the trial appears to have commenced in November, 2005 before the Special Judge, in City Civil and Sessions Court, Mumbai. During the period of last about 1-1/2 year, only three witnesses out of eight are so far

examined and five more witnesses are yet to be examined. In fact, it is not desirable that once the recording of evidence is commenced, the matter should be frequently and liberally adjourned. In view of the fact that the applicant is in jail for last about 2 years and 8 months and the trial has also commenced about 1-1/2 year ago, the Special Judge is hereby directed to expedite the hearing and to take up the evidence on day-to-day basis as far as possible and, in any case, to dispose of the case within next four months.

The Application stands disposed of.

(J.H.BHATIA,J.)